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FOR IMMEDIATE RELEASE
Friday, August 13, 2004

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**UNITED STATES ATTORNEY COLM F. CONNOLLY ANNOUNCES
INDICTMENT IN ARSON AND MAIL FRAUD CASE**

Colm F. Connolly, United States Attorney for the District of Delaware, announced today that Paul J. Leary, Jr., age 34, and Travis E. Leary, age 28, both of Newark, were indicted this week by a federal grand jury sitting in Wilmington.¹ Both men have been charged with one count of conspiracy to commit arson and mail fraud, one count of arson, and one count of mail fraud, with maximum penalties on each count of twenty (20) years imprisonment and a \$250,000 fine. The arson charge also carries a mandatory minimum term of five years imprisonment.

According to the indictment, the Learys were the owner of the Yankee Restaurant on Pulaski Highway in Newark, DE. The indictment charges that on October 27, 2002, the Learys set fire to the restaurant and then attempted to collect over \$400,000 on an insurance policy that they had taken out on the business.

The defendants appeared today before U.S. Magistrate Judge Mary Pat Thyng, who released them on their own recognizance. Judge Thyng set their arraignments for August 18, 2004.

The case was investigated by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives and the Delaware State Fire Marshals Office. It is being prosecuted by Assistant United States Attorney Keith M. Rosen.

¹An indictment is only an accusation. A defendant is presumed innocent until proven guilty.

For further information, please call First Assistant U.S. Attorney Richard G. Andrews at 302-573-6197.

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